


**Paragraphs 1 and 2 of the office Action**

Claims 1-7 have been rejected under 35 U.S.C. Section 103(a) as being unpatentable over Chen, US 5,417,000 in view of a), Mendelsohn et al. (Mendelsohn), US 5,502,915, b) Klein et al. (Klein), US 5,638,627 or McCarthy et al. (McCarthy), US 5,392,552 and c) Mowl, Jr. (Mowl), US 5,621,996.

Claim 1, particularly as amended, requires "said top of said housing being coupled to said weapon such that said housing is positioned in front of said handgrip" and "a pair of elongate guard plates, a first of said guard plates being slidably inserted into a first of said elongate slots, a second of said guard plates being slidably inserted into a second of said elongate slots" and "said first and second guard plates being slidable between extended and retracted and "wherein said guard plates are rearwardly extended from said back of said housing to substantially cover said trigger when said guard plates are positioned in said extended position to prevent a user's finger from being extendable in front of said trigger" and "wherein said guard plates are extended into said back of said housing to uncover said trigger when said guard plates are positioned in said retracted position to permit a user's finger to be positioned in front of said trigger".

The Chen reference teaches a locking device having a series of walls that surround the trigger guard and a pin assembly so that the locking device hangs the shackle and locking walls on the trigger guard (col. 2 lines 2—10). Chen teaches that the locking device must be detached from the gun in order to render the trigger movable. Chen further teaches that one of the locking walls must pivot in a direction perpendicular to the trigger in order to release the trigger. Chen does not teach a locking device that is mounted onto the gun such that the device does not need to be removed from the gun in order for the trigger to fire. Further, Chen requires that



a user remember a security code in order to activate the locking mechanism so that it may be detached from the gun.


The Mendelsohn reference teaches a gun having a key mechanism for engaging a scanning mechanism for approving a certain user to fire the gun. Mendelsohn teaches the gun being latched to a magnetized latching system for permitting the trigger to be depressed or locked. Mendelsohn teaches that a user must place a key in a lock located on the bottom of the grip, turn the key to a specific position indicating that user's identity scan and then grasp the handle of the gun for scanning whether the user is the appropriate one for that scanned memory. Mendelsohn teaches that the correct identification method causes the latching system to release the locked pin or to move the latch into a locking position so that the trigger cannot move. The latching system is internal and directly affects the movement of the trigger. Mendelsohn does not teach a locking device that may be added on to a gun such that the trigger need not be affected in order to prevent a user from depressing it. Mendelsohn also requires a user to have a key in order to use the safety device.

The Klein reference teaches a locking device that is placed within the trigger plate with a combination locking mechanism. Klein teaches a plurality of gears surrounding the trigger so that it may not be depressed for firing the gun. Klein teaches a gear that extends about the trigger from one side of the gun to the other to assist in locking the trigger. Klein teaches that the device must be removed in order for the gun to be fired. Klein requires a user to remember a combination in order to remove the locking device.

Claim 1 further requires "a motor for moving said guard plates between said extended and retracted positions" and "a computer being provided in said housing and in electrical communication with said motor" and "said housing including a communication port in

electrical communication with said computer, said communication port being adapted for electrically connecting to an external computer for permitting input into said computer input data, corresponding to an image of a particular user's fingerprints and handprints" and "a scanner being mounted to said handgrip of said weapon and in electrical communication with said computer for obtaining an image of the fingerprints and handprints of a user grasping said handgrip and sending a corresponding signal to said computer corresponding to the obtained image" and "said computer comparing said corresponding signal received from said scanner with said input data, wherein said computer activating said motor to move said guard panels to said retracted position when said corresponding signal matches said input data" and "a motion detector for detecting motion being disposed in said housing, motion detector being electrically connected to said computer, said motion detector having an activation switch electrically connected to said computer, said motion detector activating said switch to activate said computer upon detection of motion of said housing by said motion detector."

The McCarthy reference teaches a locking mechanism that may be attached to the trigger guard of firearm. McCarthy teaches two panels that attach through the trigger guard having a locking plate that includes teeth for locking with an associated toothed locking member. McCarthy teaches a programmable number pad for requiring a user to remember a numeric code to be entered for releasing the locking mechanism. McCarthy teaches that the device must be removed in order to permit the gun to be fired. McCarthy further teaches a key that may be used to unlock the device when the battery source is depleted. McCarthy does not teach a scanning device for detecting the user's fingerprints for allowing access to the gun nor does it teach a series of sliding plates that retract in a




parallel plane with the trigger guard such that the device need not be removed from the gun in order to permit firing.

The Mowl reference teaches a locking and display device for firearms that encases the trigger, hammer and chamber portions of the gun from the top of the gun and latches below the trigger guard of the gun. Mowl teaches that the device may have a plurality of different locking systems, such as a key or a combination lock. Mowl teaches that the device must be completely removed from the gun in order to permit the gun to fire. Mowl does not teach a plurality of walls that retract in a parallel direction with the trigger guard that may be attached to the device in a manner permitting the guard to remain on the gun while it is being fired.

None of the references, alone or in combination show or suggest Applicant's requirements of a locking system that is removably mounted to the gun such that the device may remain on the gun while the gun is being fired. Further, none of the references show Applicant's requirements of two panels that cloak the trigger guard on its sides such that the trigger guard is encased in the panels and cannot be fired, but does not require any additional construction to the trigger. Almost all of the references require the user to use a key, remember a code, or remember a position in which the memory has retained the user's fingerprints. Further, none of the references would lead one to Applicant's requirements as the references are aimed at modifying the original structure of the firearm or providing a device that must be removed in order to permit the gun to fire.

It is further submitted that the need to combine a multiplicity of references in an attempt to meet the claimed invention is evidence of nonobviousness.

In this particular instance four references are combined. As discussed more fully above, the references must suggest the



proposed combination in order to establish obviousness. Not only do none of the references suggest combination with any other single reference, there is absolutely no suggestion by any reference that as many as three other references should be combined with the potential primary reference.

Withdrawal of the §103(a) rejection of claims 1-7 is therefore respectfully requested.

In light of the foregoing amendments and remarks, early reconsideration and allowance of this application are most courteously solicited.

Respectfully submitted,



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